



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kevin P. Connors et al.

Application No.: 10/789,139

Filed: February 27, 2004

For: SYSTEM AND METHOD FOR
HEATING SKIN USING LIGHT TO
PROVIDE TISSUE TREATMENT

Group Art Unit: Unknown

Examiner: Unknown

**INFORMATION DISCLOSURE
STATEMENT**

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited
with the United States Postal Service as First Class Mail in an
envelope, addressed to: Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450 on April 29, 2004.
STALLMAN & POLLOCK LLP

Dated: 04/29/2004

By: Georgia K. Stith
Georgia K. Stith

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☒ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under § 1.114.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in a prior application no. _____, filed _____ and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (k) ☒ not given

- (l) ☐ given for each listed item
- (m) ☐ given for only non-English language listed item(s) [Required]
- (n) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

- ☒ The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. ALTU-1110, for any fees required in connection with the filing of this Information Disclosure Statement. **A duplicate copy of this Notice is enclosed for this purpose.** In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: 4-28-2004

By: 

Brian J. Keating (Reg. No. 39,520)

Attorneys for Applicant(s)



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional) ALTU-1110	Application Number 10/789,139
Applicant(s) Kevin P. Connors et al.	
Filing Date February 27, 2004	Group Art Unit Unknown

U.S. PATENT DOCUMENTS

*EXAMINER *INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*AA	634,113	03/15/1950	Riley	81(ii)	B22	03/10/1947
	*AB	2,699,771	01/18/1955	Rüttger-Pelli	128	24.1	08/03/1950
	*AC	3,327,712	06/27/1967	Kaufman et al.	128	398	09/15/1961
	*AD	3,648,706	03/14/1972	Holzer	128	395	11/23/1970
	*AE	3,693,623	09/26/1972	Harte et al.	128	303.1	12/25/1970
	*AF	3,867,948	02/25/1975	Kallenborn	128	395	02/13/1973
	*AG	4,020,383	04/26/1977	Labadini et al.	313	344	12/31/1975
	*AH	4,022,534	05/10/1977	Kishner	356	210	03/23/1976
	*AI	4,233,493	11/11/1980	Nath	219	354	12/09/1977
	*AJ	4,298,005	11/03/1981	Mutzhas	128	396	07/05/1979
	*AK	4,505,545	03/19/1985	Salia-Munoz	350	321	01/21/1983
	*AL	4,539,987	09/10/1985	Nath et al.	128	303.1	06/04/1984
	*AM	4,608,978	09/02/1986	Rohr	128	303.1	09/26/1983
	*AN	4,608,990	09/02/1986	Elings	128	633	09/12/1983
	*AO	4,658,823	04/21/1987	Beddoe et al.	128	396	04/15/1986
	*AP	4,667,658	05/26/1987	Guibert	128	24.1	04/23/1986
	*AQ	4,686,986	08/18/1987	Fenyö et al.	128	396	04/26/1982
	*AR	4,747,660	05/31/1988	Nishioka et al.	350	96.25	01/29/1987
	*AS	4,757,431	07/12/1988	Cross et al.	362	261	07/01/1986
	*AT	4,784,135	11/15/1988	Blum et al.	128	303.1	08/11/1986
	*AU	4,829,262	05/09/1989	Furumoto	330	4.3	12/08/1986
	*AV	4,860,172	08/22/1989	Schlager et al.	362	32	01/19/1988
	*AW	4,884,568	12/05/1989	Hahn	128	303.1	01/03/1988
	*AX	4,930,504	06/05/1990	Diamantopoulos et al.	128	395	11/13/1987
	*AY	4,950,880	08/21/1990	Hayner	250	201.9	07/28/1989

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AZ	968854	06/03/1975	Canada	326	4		
	BA	1041610	10/31/1978	Canada	326	16		
	BB	DE 33 47 730 A1	07/04/1985	Germany	A61N	5/06	Abstract	
	BC	DE 39 06 860 A1	09/28/1989	Germany	A61B	6/00	Abstract	
	BD	WO 89/00871	02/09/1989	PCT	A61N	5/06		
	BE	4-98795	03/31/1992	Japan	H05B	41/24	Abstract	
	BF	0 565 331 A2	04/05/1993	EPC	A61N	5/06		

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

BG	H. Kubota et al., "Atrial Ablation With an IRK-151 Infrared Coagulator," <i>Annals of Thoracic Surgery</i> , Vol. 66, No. 1, July 1988, pp. 95-100.
BH	In re U.S. Patent Application No. 10/351,981, filed January 27, 2003, by Dean A. MacFarland, entitled: Dermatological Treatment Flashlamp Device and Method, 19 two-sided pages in length.

Examiner	Date Considered
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>	Docket Number (Optional) ALTU-1110	Application Number 10/789,139
	Applicant(s) Kevin P. Connors et al.	
	Filing Date February 27, 2004	Group Art Unit Unknown

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*BI	4,976,709	12/11/1990	Sand	606	5	06/30/1989
	*BJ	5,139,494	08/18/1992	Freiberg	606	3	09/04/1991
	*BK	5,161,526	11/10/1992	Hellwing et al.	128	395	03/18/1991
	*BL	5,207,671	05/04/1993	Franken et al.	606	9	04/02/1991
	*BM	5,217,455	06/08/1993	Tan	606	9	08/12/1991
	*BN	5,226,907	07/13/1993	Tankovich	606	133	10/29/1991
	*BO	5,259,380	11/09/1993	Mendes et al.	607	115	11/15/1990
	*BP	5,282,797	02/01/1994	Chess	606	9	05/28/1991
	*BQ	5,320,618	06/14/1994	Gustafsson	606	9	04/09/1991
	*BR	5,336,217	08/09/1994	Buys et al.	606	9	06/05/1992
	*BS	5,337,741	08/16/1994	Diamond	600	8	06/21/1991
	*BT	5,344,418	09/06/1994	Ghaffari	606	9	12/12/1991
	*BU	5,344,434	09/06/1994	Talmore	607	88	12/21/1992
	*BV	5,374,265	12/20/1994	Sand	606	5	08/06/1992
	*BW	5,405,368	04/11/1995	Eckhouse	607	88	10/20/1992
	*BX	5,409,479	04/25/1995	Dew et al.	606	9	08/24/1992
	*BT	5,441,531	08/15/1995	Zarate et al.	607	90	10/18/1993
	*BZ	5,511,563	04/30/1996	Diamond	128	848	02/18/1994
	*CA	5,527,350	06/18/1996	Grove et al.	607	89	02/24/1993
	*CB	5,569,979	10/29/1996	Scott et al.	313	636	09/26/1994
	*CC	5,572,091	11/05/1996	Langer et al.	313	636	05/17/1995
	*CD	5,591,157	01/07/1997	Hennings et al.	606	3	09/07/1994
	*CE	5,611,795	03/18/1997	Slatkine et al.	606	9	02/03/1995
	*CF	5,620,478	04/15/1997	Eckhouse	607	88	06/07/1995
	*CG	5,660,836	08/26/1997	Knowlton	424	400	05/05/1995
	*CH	5,769,844	06/23/1998	Ghaffari	606	16	06/07/1995
	*CI	5,769,878	06/23/1998	Kamei	607	88	03/22/1996
	*CJ	5,782,895	07/21/1998	Zarate et al.	607	88	06/06/1995
	*CK	5,807,261	09/15/1998	Benaron et al.	600	473	06/07/1995
	*CL	5,810,801	09/22/1998	Anderson et al.	606	9	02/05/1997
	*CM	5,843,074	12/01/1998	Cocilovo	606	10	03/17/1997
	*CN	5,843,143	12/01/1998	Whitehurst	607	88	10/22/1993

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	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner	Date Considered
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*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*CO	5,885,274	03/23/1999	Fullmer et al.	606	9	06/24/1997
	*CP	5,964,749	10/12/1999	Eckhouse et al.	606	9	09/15/1995
	*CQ	5,989,283	11/23/1999	Wilkens	607	88	09/25/1997
	*CR	6,096,066	08/01/2000	Chen et al.	607	88	09/11/1998
	*CS	6,120,497	09/19/2000	Anderson et al.	606	9	09/15/1998
	*CT	6,171,332	01/09/2001	Whitehurst	607	89	02/09/1998
	*CU	6,319,273	11/20/2001	Chen et al.	607	88	12/16/1999
	*CV	6,383,176	05/07/2002	Connors et al.	606	9	03/15/1999
	*CW	6,387,089	05/14/2002	Kreindel et al.	606	9	05/10/1999
	*CX	6,405,090	06/11/2002	Knowlton	607	102	06/30/1999
	*CY	6,413,253	07/02/2002	Koop et al.	606	27	11/03/1998
	*CZ	6,443,978	09/03/2002	Zharov	607	91	04/09/1999
	*DA	6,461,866	10/08/2002	Whitehurst	435	325	11/15/2000
	*DB	6,482,199	11/19/2002	Neev	606	10/	08/02/2000
	*DC	6,485,484	11/26/2002	Connors et al.	606	9	09/10/1999
	*DD	6,517,532	02/11/2003	Altshuler et al.	606	9	12/28/1999
	*DE	6,524,329	02/25/2003	Benedict	607	88	03/08/2001
	*DF	6,602,275	08/05/2003	Sullivan	607	88	09/18/2000
	*DG	6,605,080	08/12/2003	Altshuler et al.	606	3	03/26/1999
	*DH	US 2002/0055092	05/09/2002	Hochman	435	4	10/30/2001
	*DI	US 2002/0173780	11/21/2002	Altshuler et al.	606	9	02/22/2002
	*DJ	US 2002/0198575	12/26/2002	Sullivan	607	88	05/22/2002
	*DK	US 2003/0004499	01/02/2003	McDaniel	606	3	06/29/2001
	*DL	US 2003/0023283	01/30/2003	McDaniel	607	88	11/08/2001
	*DM	US 2003/0032900	02/13/2003	Ella	601	6	05/15/2002
	*DN	US 2003/0045916	03/06/2003	Anderson et al.	607	89	08/20/2002
	*DO	US 2003/0065313	04/03/2003	Koop et al.	606	9	05/31/2002
	*DP	US 2003/0125788	07/03/2003	Long	607	133	10/28/2002
	*DQ	US 2003/0130709	07/10/2003	Constance Haber D.C. et al.	607	88	06/26/2002

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